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09/851,625	05/08/2001	Rajasekhar Sista	P10212	3678
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EXAMINER				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

09/851,625

**Applicant(s)**

SISTLA, RAJASEKHAR

**Examiner**

LAN-DAI Thi TRUONG

**Art Unit**

2152

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C2)
- Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is response to communications: application, filed 05/08/2001; amendment filed on 03/04/2008. Claims 1-21 are pending; claims 1, 5-6, 8, 11, 14, 17, 21 are amended.

2. Applicant's arguments filed on 03/04/2008 have been fully considered, but are moot in view of the new ground(s) of rejection.

### **Response to Arguments**

3. In response to applicant's amendments to claims 5, 8, 14 and 21, the previous 35 USC § 112 rejection is withdrawn.

4. In response to applicant's amendment to the independent claim 17, the previous 35 USC § 101 rejection is retained for follow reasons: (a)- the claimed terminology "tangible" is not supported by the specification. (b)- refer to the specification, ([0014], lines 1-2), the terminology "medium" is defined as "a machine readable medium refer to, but not limit to, a storage device, a memory device, and carrier wave, etc.) Those emphasized phases direct the terminology "medium" to non-statutory subject matter.

### **Claim rejections-35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-9, 11 and 17-21 are rejected under 35 U.S.C 103(a) as being un-patentable over Gupta et al. (U.S. 2002/0099777) in view of Chaudhari et al. (U.S. 7,039,951) and further in view of Spraggs (U.S. 6,941,454).**

#### **Regarding claim 1:**

Gupta discloses the invention substantially as claimed, including a method, which can be implemented in a computer hardware or software code for preserving confidentiality of an electronic mail from a sender to a recipient, the method comprising:

authenticating identity information of the recipient: (In Gupta's mailing system, a receiver is requested to provide user IDs and Passwords for authentication process:[0130]; [0131]).

restricting the recipient's ability to modify contents of electronic mail: (in Gupta's mailing system, recipients are restricted from modifying the received collaborative emails: [0065], lines 10-15; [0081], lines 16-22).

However, Gupta does not explicitly disclose establishing confidentiality levels by the sender.

In analogous art, Chaudhari discloses method for establishing confidential levels for email recipients so that the mailing system can be able to calculate and determine if the recipients are authorized to read the emails those are stored in a secured database based on assigned confidential levels, see (column 3, lines 23-29; column 5, lines 1-67; column 8, lines 1-40; column 9, lines 32-34).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Chaudhari's ideas of providing users confidentiality-based authentication into Gupta's system in order to increase secure levels for communication system, see (Chaudhari, column 1, lines 7-14).

However, Gupta- Chaudhari does not explicitly disclose steps of encrypting the electronic mail, at the recipient, with the authenticated identity information if the recipient attempts to store the electronic mail to a local storage.

In analogous art, Spraggs discloses a server is capable to re-encrypt the decrypted data those are received from a sending client with the server key and store the re-encrypted data into a secure database, see (column 3, lines 45-51).

decrypting the electronic mail, at the recipient if the recipient attempts to retrieve the electronic mail from the local storage: (Spraggs further discloses the server decrypts the stored re-encrypted data when it attempts to retrieve the data from the secure database responsive to client requests, see (column 3, lines 45-67).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Spraggs's ideas of providing a server capability of re-encrypting

data prior storing them into a secure database into Gupta- Chaudhari's system in order to provide higher secure level communication system, see (Spraggs, column 1, lines 44-47).

**Regarding claim 17:**

This claim is rejected under rationale of claim 1.

**Regarding claim 6:**

Gupta discloses the invention substantially as claimed, including an electronic mail confidentiality preserver of a recipient email client, which can be implemented in a computer hardware or software code, comprising:

an input-processing engine to limit abilities of a user of the recipient email client to modify contents of an electronic mail received by the recipient email client: (in Gupta's mailing system, recipients are restricted from modifying the received collaborative emails: [0065], lines 10-15; [0081], lines 16-22).

an encryption/ decryption engine, coupled to the input-processing engine, to encrypt the electronic mail with authentication identity information: (in Gupta's mailing system, created collaborative email can be set up with numbers of options (e.g. email encryption and/ or preventing recipient from modifying email). It would obvious to one of ordinary skill in the art to recognize that Gupta's system should include encryption/decryption engine: [0065]; [0060]).

However, Gupta does not explicitly disclose confidentiality level.

In analogous art, Chaudhari discloses method for establishing confidential levels for email recipients so that the mailing system can be able to calculate and determine if the recipients are authorized to read the emails those are stored in a secured database based on

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assigned confidential levels, see (column 3, lines 23-29; column 5, lines 1-67; column 8, lines 1-40; column 9, lines 32-34).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Chaudhari's ideas of providing users confidentiality-based authentications into Gupta's system in order to increase secure levels for communication system, see (Chaudhari, column 1, lines 7-14).

However, Gupta- Chaudhari does not explicitly disclose encrypting email if the recipient attempts to store the electronic mail to a local storage.

In analogous art, Spraggs discloses a server is capable to re-encrypt the decrypted data those are received from a sending client with the server key and store the re-encrypted data into a secure database, see (column 3, lines 45-51).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Spraggs's ideas of providing a server capability of re-encrypting data prior storing them into a secure database into Gupta- Chaudhari's system in order to provide higher secure level communication system, see (Spraggs, column 1, lines 44-47).

**Regarding claim 11:**

Gupta discloses the invention substantially as claimed, including an electronic mail client, comprising:

a user interface: (Gupta: figure 2; figure 3).

a communication engine: (Gupta, figure 3, item 142).

a local storage: (Gupta discloses client device also has capability of storing information locally (e.g. user preferences, identifiers, email messages...etc): [0044]; figure 10, item 286).

an electronic mail confidential preserver, coupled to the user interface, coupled to the communication engine and coupled to the local storage: (in Gupta's system, user can interact with mailing client device through a interface/ display window, wherein user can select numbers of mailing options (e.g. storing message, setting prior status and/or confidential) : figure 3; figure 4; [0061]).

an input-processing engine to limit abilities of a user of the recipient email client to modify contents of an electronic mail received by the recipient email client: (in Gupta's mailing system, recipients are restricted from modifying the received collaborative emails: [0065], lines 10-15; [0081], lines 16-22).

an encryption/ decryption engine, coupled to the input-processing engine, to encrypt the electronic mail with authentication identity information: (in Gupta's mailing system, created collaborative email can be set up with numbers of options (e.g. email encryption and/ or preventing recipient from modifying email). It would obvious to one of ordinary skill in the art to recognize that Gupta's system should include encryption/decryption engine: [0065]; [0060]).

However, Gupta does not explicitly disclose confidentiality level.

In analogous art, Chaudhari discloses method for establishing confidential levels for email recipients so that the mailing system can be able to calculate and determine if the recipients are authorized to read the emails those are stored in a secured database based on assigned confidential levels, see (column 3, lines 23-29; column 5, lines 1-67; column 8, lines 1-40; column 9, lines 32-34).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Chaudhari's ideas of providing users confidentiality-based



authentications into Gupta's system in order to increase secure levels for communication system, see (Chaudhari, column 1, lines 7-14).

However, Gupta- Chaudhari does not explicitly disclose encrypting email if the recipient attempts to store the electronic mail to a local storage.

In analogous art, Spraggs discloses a server is capable to re-encrypt the decrypted data those are received from a sending client with the server key and store the re-encrypted data into a secure database, see (column 3, lines 45-51).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Spraggs's ideas of providing a server capability of re-encrypting data prior storing them into a secure database into Gupta- Chaudhari's system in order to provide higher secure level communication system, see (Spraggs, column 1, lines 44-47).

**Regarding claim 2:**

In addition to rejection in claim 1, Gupta- Chaudhari- Spraggs further discloses wherein the identity information is a system password: (In Gupta's mailing system, a receiver is requested to provide user IDs and Passwords for authentication process: [0130]; [0131]).

**Regarding claim 18:**

This claim is rejected under rationale of claim 2.

**Regarding claim 3:**

In addition to rejection in claim 1, Gupta- Chaudhari- Spraggs further prompting a user of the recipient to supply the identity information: (a receiver is requested to provide user IDs and Passwords for authentication process: Gupta, [0130]; [0131]).

decrypting the electronic mail with the identity information supplied by the user: (In Spraggs's system, the receiving client can decrypt data via using it's private key: column 3, lines 65-67).

**Regarding claim 19:**

This claim is rejected under rationale of claim 3.

**Regarding claim 4:**

In addition to rejection in claim 1, Gupta- Chaudhari- Spraggs further discloses asserting a control signal to disable options that are originally supported by the recipient if the confidentiality level satisfies a predefined confidentiality threshold: (in Gupta's mailing system, created collaborative email can be set up with numbers of options (e.g. email encryption, preventing recipient from modifying email, storing message, setting prior status and/or confidential): [0065]; [0060]-[0061]; figure 3; figure 4).

**Regarding claim 20:**

This claim is rejected under rationale of claim 4.

**Regarding claim 7:**

This claim is rejected under rationale of claim 4.

**Regarding claim 5:**

In addition to rejection in claim 4, Gupta- Chaudhari- Spraggs further discloses the control signal is a control signal: (Gupta: [0065]; [0060]-[0061]; figure 3; figure 4).

**Regarding claims 8 and 21:**

Those claims are rejected under rationale of claim 5.

**Regarding claim 9:**

In addition to rejection in claim 6, Gupta- Chaudhari- Spraggs further discloses the input processing engine further asserts a second control signal to invoke the encryption/decryption engine in response to the user's access: (Spraggs: column 3, lines 65-67; column 4, lines 1-2).

**Regarding claim 10:**

In addition to rejection in claim 6, Gupta- Chaudhari- Spraggs further discloses prompting the user for identity information: (Spraggs: figure 7, items 710, 712).

decrypting the electronic email with the identity information: (Spraggs: figure 7, items 710, 712).

encrypts the electronic mail with the identity information to store the electronic mail: (Spraggs: figure 7, item 708; column 3, lines 45-51).

decrypts the electronic mail to retrieve the electronic mail: (the receiving client can decrypt data via using it's private key: Spraggs: column 3, lines 65-67).

**Claims 12-16 are rejected under 35 U.S.C 103(a) as being un-patentable over Gupta- Chaudhari- Spraggs in view of Bennett (U.S. 6,760,704).**

**Regarding claim 12:**

In addition to rejection in claim 11, Gupta- Chaudhari- Spraggs further discloses a set of options to manipulate the electronic mail for the user to select: (Gupta discloses interface provides various user-selectable options e.g. viewing, creating, and manipulating email: ([0097]; [0085])).

However, Gupta- Chaudhari- Spraggs does not explicitly disclose set of confidential levels for the user to select.

In analogous art, Bennett discloses user can prompt sensitive condition for message, see (column 10, lines 6-11).

Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Bennett's ideas of using prompting information for select confidentiality levels into Gupta- Chaudhari- Spraggs's system in order to saving resources and development time by employ Bennett's ideas into Gupta- Chaudhari- Spraggs's system.

**Regarding claim 13:**

In addition to rejection in claim 12, Gupta- Chaudhari- Spraggs- Bennett further discloses asserting a control signal to disable options that are originally supported by the recipient if the confidentiality level satisfies a predefined confidentiality threshold: (Gupta, [0065]; [0060]-[0061]; figure 3; figure 4).

**Regarding claim 14:**

In addition to rejection in claim 13, Gupta- Chaudhari- Spraggs- Bennett further discloses the control signal is a control signal: (Gupta, [0065]; [0060]-[0061]; figure 3; figure 4).

**Regarding claim 15:**

In addition to rejection in claim 12, Gupta- Chaudhari- Spraggs- Bennett further discloses the input processing engine further asserts a second control signal to invoke the

encryption/decryption engine in response to the user's access: (Spraggs: column 3, lines 65-67; column 4, lines 1-2).

**Regarding claim 16:**

In addition to rejection in claim 12, Gupta- Chaudhari- Spraggs- Bennett further discloses prompting the user for identity information: (Spraggs: figure 7, items 710, 712).

decrypting the electronic email with the identity information: (Spraggs: figure 7, items 710, 712).

encrypts the electronic mail with the identity information to store the electronic mail: (Spraggs: figure 7, item 708; column 3, lines 45-51).

decrypts the electronic mail to retrieve the electronic mail: (the receiving client can decrypt data via using it's private key: Spraggs: column 3, lines 65-67).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Conclusions**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan-Dai Thi Truong whose telephone number is 571-272-7959. The examiner can normally be reached on Monday- Friday from 8:30am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob A. Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

04/24/2008.

/Bunjob Jaroenchonwanit/

Supervisory Patent Examiner, Art Unit 2152

